

Minutes of the Planning Commission meeting held on Thursday, July 1, 2010, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Jim Harland, Chair
Ray Black
Tim Taylor
Karen Daniels
Jeff Evans
Tim Tingey, Community & Economic Development Director
G.L. Critchfield, Deputy City Attorney
Citizens

Excused: Sheri Van Bibber
Kurtis Aoki

The Staff Review meeting was held from 6:00 to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording of this is available at the Murray City Community and Economic Development Department.

Mr. Harland opened the meeting and welcomed those present.

APPROVAL OF MINUTES

Karen Daniels made a motion to approve the minutes from June 3, 2010. Seconded by Jeff Evans.

A voice vote was made. The motion passed, 5-0.

COTTONWOOD SURGERY CENTER, LLC – 6053 S. Fashion Square Drive – Project #10-167

Jana Bee Triplett was present to represent this request. Tim Tingey reviewed the location and request for an ambulatory surgery center. He said that the site is located within the C-D-C zone, which allows medical and health services subject to Conditional Use Permit approval. He stated that there is a shared parking arrangement at this site totaling 534 stalls with 421 stalls required for this use. Mr. Tingey said that staff has reviewed the land use ordinance standards and determined that this use will meet the standards as long as the conditions are met. He stated that staff is recommending approval of the request.

Jana Bee Triplett, 817 Wyandotte, Kansas City, stated that the surgical center will not occupy the entire building. She said the center will take 5,000 square feet on the first floor. Mr. Harland asked if the conditions outlined by staff will be met. Ms. Triplett confirmed that they will.

Ray Black asked who the other tenants are in the building. Ms. Triplett stated that she does not know who the other occupants are.

Michael Roderick, 1214 Vine Street, Murray, stated that his company owns the Fashion Square Office Park. He stated that the building is two stories and that the entire second floor is leased. He said that the surgical center will take half of the first floor, and there is

one other tenant on the first floor. He stated that after the surgical center opens there will still be one vacant space on the first floor.

There were no comments from the public pertaining to this item.

Jeff Evans made a motion to approve the Conditional Use Permit for Cottonwood Surgery Center, LLC, located at 6053 South Fashion Square Drive, subject to the following conditions:

1. The project shall meet all applicable building code standards.
2. The project shall meet all current fire codes.
3. All exterior trash containers shall be screened as required by Section 17.76.170.
4. Comply with Salt Lake County Health Department approval and permits.
5. All of the parking stalls shall be paved and striped, including disabled stalls, to meet parking ordinance and ADA regulations. Provide written verification of shared parking agreement between the parcels of property in the Fashion Square Development.

Seconded by Karen Daniels.

Call vote recorded by Tim Tingey.

A _____ Jeff Evans
A _____ Karen Daniels
A _____ Ray Black
A _____ Tim Taylor
A _____ Jim Harland

Motion passed, 5-0.

HUMANE SOCIETY OF UTAH – 4242 S. 300 W. – Project #10-169

Brett Bullock was the applicant present to represent this request. Tim Tingey reviewed the location and request for additions and remodeling of portions of the existing Humane Society facility. The site is located within the M-G-C zone and surrounded on all sides by the same zone. He stated that a parking standard is not defined for this type of use although the original approval was based upon 3.5 parking stalls for every 1,000 square feet. Mr. Tingey said that the applicant is proposing 4 parking stalls per 1,000 square feet, which staff believes to be adequate. He stated that there is a fence on the street frontage that will need to be moved back 10 feet with additional landscape added in that location. He said that staff is recommending approval of the application.

Brett Bullock with VB Associates Architects stated that he is representing the Humane Society on this issue. He said that there are a few concerns pertaining to the conditions. He stated that there is a concern about losing frontage and that currently there is a chain link fence on the eastern side of the property that is 425 feet long. He stated that there are gates on the north and south side of the property to allow vehicle traffic. Mr. Bullock

stated that the site is 5 acres and already heavily landscaped with a number of mature trees. He said that it would not be difficult to add some more trees in the parking strip, but with the new addition there are some space constraints due to some utility easements. He stated that he would like to avoid moving the fence because that would result in a loss of 10 feet of space that is desperately needed. Mr. Bullock stated that there are approximately 30 volunteers at the site in addition to their customers and that a reasonable amount of space is needed to allow adequate separation. He said that the long range plan is to develop a perimeter walking path to create a more pleasing environment.

Craig Cook, President of the Humane Society, 3645 East Cascade Way, Salt Lake, stated that he has been with the Humane Society since 1972. He said that they have always had a good relationship with Murray City. He stated that there are existing trees in the 10 foot frontage space and a cemetery near the end of the fence. He said that the expense of moving the fence in addition to the loss of use of that land would be detrimental. Mr. Cook stated that his business neighbors include a wrecking yard, a storage facility, and a vacant building where Why'd used to be. He said that this is an industrial area and there is minimal pedestrian traffic. He said that this is a case where the 10 foot landscaped area would serve no purpose and that he is willing to follow the correct procedure to formally request that this condition be waived.

Jim Harland stated that the setback for the fence is according to the zoning regulations. He asked about the installation of the existing fence. Mr. Tingey replied that there may have been different regulations at the time that the chain link fence was installed and that when a Conditional Use Permit application is submitted that the standards of the current ordinance must be met. He stated that the current standard states that the 10 foot buffer must be adjacent to the right-of-way. He said that the process to have this waived would be a variance request through the Board of Adjustment.

There were no comments from the public related to this item.

Karen Daniels stated that if the Planning Commission approves the Conditional Use Permit that the applicants may still apply for a variance through the Board of Adjustment.

Ray Black made a motion to approve a Conditional Use Permit for additions and remodeling of the existing Humane Society facility located at 4242 South 300 West, subject to conditions:

1. The project shall meet all applicable building code standards. The building official will require plans which are stamped and sealed by appropriate design professionals, provide code analysis to include allowable area calculations, provide soils report from geo-technical engineer and plans submitted after July 1, 2010 shall be to the 2009 Codes.
2. The project shall meet all current fire codes.
3. A formal landscaping plan meeting the requirements of Chapter 17.68 of the Murray Municipal Code shall be submitted and approved by the Murray City Forester and installed as approved prior to occupancy.
4. The trash container shall be screened as required by Section 17.76.170.

5. The fence on the street frontage will need to be moved 10 feet back from the front property line to meet fencing code.
6. All of the parking stalls shall be paved and striped to meet parking standards including ADA regulations.

Seconded by Tim Taylor.

Call vote recorded by Tim Tingey.

A _____ Jeff Evans
A _____ Karen Daniels
A _____ Ray Black
A _____ Tim Taylor
A _____ Jim Harland

Motion passed, 5-0.

Meeting adjourned.

Tim Tingey, Director
Community and Economic Development